

(g) This section expires September 2, 2008, except that this section is continued in effect after that date for the limited purpose of applying with regard to any transaction authorized by Section 2166.454 and this section that occurs before that date.

Sec. 2166.4542. PURCHASING CERTAIN LEASED SPACE. (a) Subject to Section 2166.454(b), the commission may purchase any or all of the space described by Section 2166.454(a) in accordance with this section and Chapter 1232.

(b) The commission shall request the Texas Public Finance Authority to issue revenue obligations to finance the purchase price of any or all of the space described by Section 2166.454(a) that the commission elects to purchase under this section. The authority shall issue the revenue obligations in accordance with and subject to all provisions of Chapter 1232 applicable to revenue obligations, including all provisions relating to ensuring that the revenue obligations are paid, except that Section 1232.108(2) does not apply.

(c) The authority shall issue the revenue obligations in amounts sufficient to:

- (1) pay the authority's expenses in connection with issuing the revenue obligations;*
- (2) pay the purchase price of the space described by Section 2166.454(a) included in the request of the commission according to the terms of the applicable existing lease with an option to purchase agreement or agreements; and*
- (3) if the commission considers it advisable to make capital improvements to the space, pay for making the capital improvements.*

(d) At the time that a building is purchased under this section, money specifically appropriated by the legislature to an agency occupying space in the building for lease payments under the applicable lease with an option to purchase agreement, or the money available to and budgeted by the agency for that purpose, shall be transferred to the commission and used by the commission only to make the required lease or rental payments to the authority during the remainder of the state fiscal biennium during which the building was purchased under this section.

(e) This section expires September 2, 2008, except that this section is continued in effect after that date for the limited purpose of applying with regard to any transaction authorized by Section 2166.454 and this section that occurs before that date.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

Passed by the House on May 9, 2005: Yeas 144, Nays 0, 3 present, not voting; the House concurred in Senate amendments to H.B. No. 3147 on May 24, 2005: Yeas 140, Nays 2, 1 present, not voting; passed by the Senate, with amendments, on May 23, 2005: Yeas 31, Nays 0.

Approved June 18, 2005.

Effective June 18, 2005.

CHAPTER 1311

H.B. No. 3149

AN ACT

relating to inactive status for cosmetology certificate or license holders.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter H, Chapter 1602, Occupations Code, is amended by adding Section 1602.353 to read as follows:

Sec. 1602.353. INACTIVE STATUS. (a) The holder of a certificate or license issued under this chapter may place the holder's certificate or license on inactive status by:

(1) *applying to the commission on a form prescribed by the commission not later than the 10th day before the date the certificate or license expires; and*

(2) *paying the required fee.*

(b) *The holder of a certificate or license that has been placed on inactive status under this section is not required to comply with continuing education requirements under this chapter.*

(c) *To maintain inactive status, the holder of a certificate or license must reapply for inactive status on or before the second anniversary of the date the status is granted by submitting the required form accompanied by the required renewal fee.*

(d) *The holder of a certificate or license to practice cosmetology that has been placed on inactive status under this section may not perform or attempt to perform the practice of cosmetology.*

(e) *The holder of an instructor's license that has been placed on inactive status may not teach or attempt to teach cosmetology at a private beauty culture school or in a vocational cosmetology program in a public school.*

(f) *The holder of a license to operate a vocational cosmetology program in a public school, or a beauty shop, beauty culture school, specialty shop, or other place of business in which cosmetology is taught or practiced under this chapter, may not employ a person to perform the practice of cosmetology or to teach as an instructor if the person's certificate or license has been placed on inactive status.*

(g) *A person whose certificate or license is on inactive status under this section may return the person's certificate or license to active status by:*

(1) *applying to the commission for reinstatement of the certificate or license on the form prescribed by the commission;*

(2) *submitting written documentation that the person has completed applicable continuing education requirements under this chapter within the preceding two years; and*

(3) *paying the required certificate or license fee.*

SECTION 2. (a) Not later than January 1, 2006, the Texas Cosmetology Commission shall adopt the forms, rules, and procedures necessary to implement Section 1602.353, Occupations Code, as added by this Act.

(b) Notwithstanding Section 1602.353, Occupations Code, as added by this Act, a person may not apply to have the person's certificate or license placed on inactive status under that section before January 1, 2006.

SECTION 3. This Act takes effect September 1, 2005.

Passed by the House on May 10, 2005, by a non-record vote; passed by the Senate on May 25, 2005: Yeas 31, Nays 0.

Approved June 18, 2005.

Effective September 1, 2005.

CHAPTER 1312

H.B. No. 3169

AN ACT

relating to purchase of equivalent membership service credit in the Teacher Retirement System of Texas.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 825.307(a), Government Code, is amended to read as follows:

(a) The retirement system shall deposit in a member's individual account in the member savings account: